5th September 1960] [Sri Mohamed Raza Khan]

sum. But whether it is a businessman or Government, elementary principles should not be ignored. 8.359 nP. should be made only 8 nP. and not 9 nP.

THE HON. SRI R. VENKATARAMAN : Sir, I am glad that the Bill goes through without much . . .

MR. CHAIRMAN : It has not gone through yet.

THE HON. SRI R. VENKATARAMAN : Actually, the point is why the rate on petrol was not rounded off to the lower integer. As I have said, we have maintained all along that a difference in rates of taxation should exist between petrol and diesel oil. We have always felt that persons who use petrol have a greater ability to bear the burden of taxation than those who use diesel oil. To charge the same rate on both diesel oil and petrol would raise a hue and cry . . . (SRI MOHAMED RAZA KHAN : Any way it is not convincing.) that the box has been made uniform. Therefore, Government are not able to accede to that request. I think hon. Members will now appreciate the attitude of the Government and support the measure.

MR. CHAIRMAN : The question is—

"That the Madras Sales of Motor Spirit Taxation (Amendment) Bill, 1960 (L.A. Bill No. 23 of 1960), as passed by the Legislative Assembly, be taken into consideration."

The motion was put and carried and the Bill was taken into consideration.

Clauses 2 and 3 were put and carried.

Clause 1 and the preamble were put and carried.

THE HON. SRI R. VENKATARAMAN : Sir, I move—

"That the Madras Sales of Motor Spirit Taxation (Amendment) Bill, 1960 (L.A. Bill No. 23 of 1960), as passed by the Legislative Assembly, be passed."

MR. CHAIRMAN : The question is—

"That the Madras Sales of Motor Spirit Taxation (Amendment) Bill, 1960 (L.A. Bill No. 23 of 1960) as passed by the Legislative Assembly, be passed."

The motion was put and carried and the Bill was passed.

(2) THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) (MADRAS AMENDMENT) BILL, 1960 (L.A. BILL NO. 14 OF 1960). 3–30 p.m.

THE HON. SRI R. VENKATARAMAN : Mr. Chairman, Sir, I move—

"That the Industrial Employment (Standing Orders) (Madras Amendment) Bill [a], 1960 (L.A. Bill No. 14 of 1960), as passed by the Legislative Assembly, be taken into consideration."

[a] Printed as Appendix IV on pages 27–28 infra.

[Sri R. Venkataraman] [5th September 1960

Sir, under the existing Central enactment only the Commissioner of Labour has got the authority to certify standing orders. This Bill seeks to delegate the power to other officers appointed in this behalf. That is the substance of the Bill.

Under the existing law every factory which has more than one hundred employees should frame standing orders and have them approved by the Commissioner of Labour. That is the contract of employment between the workers and the management and the conditions are regulated by the Standing Orders. This Standing Orders Act of 1946 after it has been brought into force has really helped to regulate conditions of employment in factories and a lot of unnecessary differences and disputes with regard to the conditions of employment have been eliminated. As it is, the Commissioner of Labour is not able to attend to all this work, and the certification of the standing orders is delayed. Therefore Government have brought forward this Bill to authorize an officer appointed in this behalf also to certify.

MR. CHAIRMAN : Motion moved—

"That the Industrial Employment (Standing Orders) (Madras Amendment) Bill, 1960 (L.A. Bill No. 14 of 1960), as passed by the Legislative Assembly, be taken into consideration."

SRI MOHAMED RAZA KHAN : Sir, I entirely agree with the Hon. Minister that this Bill is necessary. But in the Bill power is given to the Government to specify the officers who will be empowered to certify these standing orders. Why should not the Government specifically state that in the absence of the Commissioner of Labour, so and so, an officer of a specified rank, would certify them?

THE HON. SRI R. VENKATARAMAN : It will depend on the circumstances of the case as to who should be authorized. Generally the Deputy Commissioner of Labour is appointed as the person who will certify standing orders. Sometimes the Deputy Commisioner is invested with powers under the Workmen's Compensation Act. In such cases the Assistant Commissioner will be invested with the authority. Therefore, there is no question of any low-ranking junior officer being empowered by the Government to certify the standing orders. Government realize that it is a very important subject, and these standing orders regulate the relationship between the employers and the employees. Government will therefore always take care to see that fairly senior officers are appointed to certify the standing orders.

MR. CHAIRMAN : The question is—

"That the Industrial Employment (Standing Orders) (Madras Amendment) Bill, 1960 (L.A. Bill No. 14 of 1960), as passed by the Legislative Assembly, be taken into consideration."

5th September 1960] [Mr. Chairman]

The motion was put and carried and the Bill was taken into consideration.

Clause 2 was put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI R. VENKATARAMAN : Mr. Chairman, Sir, I move—

"That the Industrial Employment (Standing Orders) (Madras Amendment) Bill, 1960 (L.A. Bill No. 14 of 1960), as passed by the Legislative Assembly, be passed."

MR. CHAIRMAN : The question is—

"That the Industrial Employment (Standing Orders) (Madras Amendment) Bill, 1960 (L.A. Bill No. 14 of 1960), as passed by the Legislative Assembly, be passed."

The motion was put and carried and the Bill was passed.

(3) THE MADRAS PRESERVATION OF PRIVATE FORESTS (AMENDMENT) BILL, 1960 (L.A. BILL NO. 27 OF 1960).

* THE HON. SRI M. A. MANICKAVELU : Mr. Chairman, Sir, I move—

"That the Madras Preservation of Private Forests (Amendment) Bill [a], 1960 (L.A. Bill No. 27 of 1960), as passed by the Legislative Assembly, be taken into consideration."

Sir, in the year 1946 an Act was passed in order to safeguard the forest wealth of our State by preventing indiscriminate felling of trees both in estates, technically so-called under the Estates Abolition Act and also in private forests having a contiguous area of one hundred acres. The Act was re-enacted in 1949 and from time to time it has been extended. And now finally it has been extended up to 2nd December 1961.

It has now been brought to the notice of the Government that large fellings are taking place both in the Gudalur area of the Nilgiris district and other areas, and, therefore, Government by this amending Bill want to restrict the area to 30 acres. Now it is 100 acres. Hereafter even contiguous areas of 30 acres will be declared forests, and they will have to conform to the formalities such as taking permission from the Collector to fell trees and to sell, or mortgage the forests. That in effect is the main object of the Bill.

MR. CHAIRMAN : Motion moved—

"That the Madras Preservation of Private Forests (Amendment) Bill, 1960 (L.A. Bill No. 27 of 1960), as passed by the Legislative Assembly, be taken into consideration."

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a Printed as Appendix V on pages 28–29 infra.